

Message Text

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TAGS: UN, EAGR, EAD

SUBJECT: IFAD: NEGOTIATION OF THE ARTICLES OF AGREEMENT
BETWEEN ECOSOC AND IFAD: SUMMARY OF APRIL 18
P.M. MEETING

REFERENCE: A) USUN 1129; B) STATE 73858

1. SUMMARY: UPON BEING TOLD THAT THE IFAD PREPARATORY COMMISSION CHAIRMAN WAS DELAYED AND WOULD NOT BE ARRIVING IN NEW YORK UNTIL APRIL 25-26 TO PROVIDE IT WITH THE DETAILED BRIEFING IT REQUESTED, THE ECOSOC COMMITTEE ON NEGOTIATIONS MEETING AS AN INFORMAL GROUP BEGAN ITS REVIEW OF THE DRAFT IFAD-UN RELATIONSHIP AGREEMENT COMPLETING A FIRST READING OF THE FIRST THREE ARTICLES. THE NEXT MEETING OF THE INFORMAL GROUP IS SCHEDULED FOR THE AFTERNOON OF APRIL 20. THE UNIFIED G-77 LEAD BY PAKISTAN AND JAMAICA PROPOSED CHANGES TO THE PREAMBLE AND TO ARTICLES I, II AND III DESIGNED TO STRENGTHEN THE ROLE OF THE UN AND TO RECAST THE DRAFT AGREEMENT SO THAT IT MORE CLOSELY FOLLOWED THE UN AGREEMENT WITH UN SPECIALIZED AGENCIES. (FAO, WIPO, ETC.) RATHER THAN THE "OUT OF DATE, 30 YEAR OLD" AGREEMENT BETWEEN THE UN AND THE IBRD. THE G-77 VIEW WAS STRONGLY SUPPORTED

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BY THE NETHERLANDS AND GENERALLY SUPPORTED BY NORWAY DENMARK AND ITALY. ONLY THE US, THE FRG AND TO A LIMITED DEGREE, THE FRENCH, SPOKE IN FAVOR OF GENERALLY HAVING THE IFAD AGREEMENT FOLLOW THE IBRD MODEL BECAUSE, INTER ALIA, IT FUNCTIONS AN METHODS OF OPERATIONS WOULD MORE CLOSELY MIRROR THOSE OF THE IBRD THAN THE FUNCTIONS OF THE OTHER UN SPECIALIZED AGENCIES. END SUMMARY.

2. THE CHAIRMAN'S ANNOUNCEMENT OF A DELAY IN THE ARRIVAL OF AN IFAD REPRESENTATIVE FOR AN ENTIRE ADDITIONAL WEEK PRESENTED THE G-77 AND OTHER INTERESTED IN TOTALLY RECASTING THE DRAFT RELATIONSHIP AGREEMENT BETWEEN IFAD AND THE UN A GOLDEN OPPORTUNITY AND THEY WERE QUICK TO TAKE FULL ADVANTAGE OF IT. FOLLOWING A SHORT GENERAL STATEMENT BY THE NETHERLANDS CALLING FOR THE STRONGEST POSSIBLE TIES BETWEEN THE UN AND IFAD, A STRENGTHENED CENTRAL ROLE FOR THE GENERAL ASSEMBLY DESIGNED TO MAKE THE UN SYSTEM MORE COHESIVE, THE G-77 SPOKESMAN (PAKISTAN AND JAMAICA) INDICATED THE CHANGES THE G-77 CAUCUS HAD CONCLUDED EARLIER IN THE DAY IT WANTED MADE IN THE PREAMBLE AND IN ARTICLES I, II AND III.

3. THE PROPOSED CHANGES ARE AS FOLLOWS:

A) PREAMBLE -

1. TO SUBSTITUTE THE WORDS "IN ACCORDANCE WITH" FOR THE WORDS "IN CONSIDERATION OF" AT THE BEGINNING OF THE PARAGRAPH. THE US DELEGATION RESERVED. ALL OTHER DELEGATIONS PRESENT SAID THEY HAD NO OBJECTION.

2. THE FRENCH STATED THEY WANTED A MENTION OF ARTICLE 63 OF THE UN CHARTER INCLUDED IN THE PARAGRAPH AS IS THE CASE IN THE IBRD-UN AGREEMENT. THE G-77 THOUGHT THIS TO BE UNNECESSARY BUT DID NOT OBJECT. LIMITED OFFICIAL USE

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THE NETHERLANDS RESERVED ON THE FRENCH PROPOSAL.

B) ARTICLE I - RECOGNITION

THE G-77 SUPPORTED BY THE DUTCH PROPOSED THE DELETION OF THE WORDS "OPERATING AS AN INDEPENDENT ORGANIZATION WITHIN THE UN SYSTEM" FROM THE ARTICLE STATING IT WANTED THE RELATIONSHIP OF IFAD AND THE UN TO BE AS CLOSE AS POSSIBLE TO THAT OBTAINING FOR ALL OTHER UN SPECIALIZED AGENCIES SAVE THE IBRD. THE G-77 ARGUED THAT 1) SUCH WORDS NO LONGER BELONGED IN RELATIONSHIP AGREEMENTS; 2) THAT IFAD WOULD HAVE A NECESSARY AMOUNT OF FUNCTIONAL AUTONOMY WITH OR WITHOUT SUCH UNHELPFUL "FLOUTING" LANGUAGE; AND 3) AS IFAD DID NOT OBTAIN ITS FUNDS FROM THE WORLD'S MONEY MARKETS, AS THE IBRD DOES IN PART, IT WAS FALLACIOUS TO ATTEMPT TO STRUCTURE ITS RELATIONSHIP AGREEMENT WITH THE UN AFTER THE IBRD MODEL. THE IS AND THE FRG STATED THEIR STRONG PREFERENCE FOR THE LANGUAGE PROPOSED

BY IFAD AND RESERVED THEIR POSITION. NORWAY, DENMARK, JAPAN AND ITALY SAID THE IFAD PROPOSED LANGUAGE PUT AN UNDUE STRESS ON INDEPENDENCE AND THAT THEY BELIEVED "INDEPENDENT" SHOULD NOT BE MENTIONED IN THE FIRST ARTICLE. THEY STATED A PREFERENCE FOR SEEING THE PARAGRAPH RECORDED. FRANCE BOTH PROPOSED COMPROMISE LANGUAGE "AN AUTONOMOUS AGENCY" AND RESERVED ITS POSITION. THE G-77 STATED IT WOULD CONSIDER THE INFORMAL FRENCH PROPOSAL. THE CHAIRMAN STATED THAT HE DID NOT BELIEVE THE LANGUAGE PROPOSED BY IFAD IS FULLY CONSISTENT WITH THE SENTIMENTS EXPRESSED BY THE CHAIRMAN OF THE IFAD PREPARATORY COMMISSION IN PARAGRAPHS 6 AND 7 OF HIS EXPLANATORY ROLE TO THE UN (E/C 1/40) DATED 7 APRIL 1977.

C) ARTICLE II - RECIPROCAL REPRESENTATION - ARGUING THAT THE IFAD PROPOSED TEXT DID NOT REFLECT LIMITED OFFICIAL USE

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FULL RECIPROCITY, THE G-77 PROPOSED THAT A SLIGHTLY MODIFIED VERSION ("ENTITLED" INSTEAD OF "INVITED") OF ARTICLE III OF THE WIPO ARTICLE III (SEE PAGE 4 OF THE ANNEX OF E/C.1/L.6) SHOULD BE SUBSTITUTED FOR ARTICLE II 1. OF THE IFAD-ORIGINATED DRAFT. THIS PROPOSAL WAS GENERALLY ENDORSED BY ITALY, NORWAY AND THE NETHERLANDS WITH ITALY WANTING THE SUBSTITUTE PARAGRAPH MODIFIED TO INCLUDE AN EXPLICIT MENTION OF THE WORLD FOOD COUNCIL.

4. DENMARK AND THE FRG INDICATED THEY WERE VERY INTERESTED IN ASKING A REPRESENTATIVE OF IFAD ABOUT THE BACKGROUND AND RATIONALE FOR THEIR PROPOSED WORDING OF THIS PARAGRAPH. THE NETHERLANDS SAID THEY WANTED THE UN TO ATTEND IFAD EXECUTIVE BOARD MEETINGS. IN RESPONSE TO A QUESTION FROM THE US A MEMBER OF THE SECRETARIAT INDICATED THAT THE UN DOES NOT PRESENTLY ATTEND EXECUTIVE DIRECTOR MEETINGS OF THE IBRD. UNHELPFULLY HE WENT ON TO VOLUNTEER HIS OPINION THAT RESOLUTION 12 OF THE WORLD FOOD CONFERENCE, WHICH HAD BEEN DULY APPROVED BY THE GENERAL ASSEMBLY, AT LEAST INDIRECTLY SAYS THAT IT WANTS THE UN, VIA THE WORLD FOOD COUNCIL, DEEPLY INVOLVED IN IFAD OPERATIONS TO BEST ASSURE AN INTEGRATED APPROACH TO RURAL DEVELOPMENT BY THE ENTIRE UN SYSTEM.

5. THE FRG AND THE US ARGUED THAT RECIPROCITY MUST ALSO TAKE INTO ACCOUNT THE DIFFERENCE IN FUNCTIONS (DECISION MAKING ON LOAN APPLICATIONS ETC.) OF THE EXECUTIVE BOARDS OF IBRD AND IFAD FROM THE VARIOUS MEETINGS HELD BY OTHER UN SPECIALIZED AGENCIES.

6. ARTICLE III - PROPOSAL OF AGENDS ITEM. THE G-77
SUPPORTED BY JAPAN, THE NETHERLANDS AND DENMARK PROPOSED
TO SUBSTITUTE THE WORDS "SHALL INCLUDE" FOR THE WORDS
"WILL GIVE DUE CONSIDERATION" REGARDING INCLUSION IN
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IFAD AGENDA OF ITEMS PROPOSED BY THE UN. THE US,
FRANCE AND THE FRG STATED THEIR PREFERENCE FOR THE
LANGUAGE OF THE ARTICLE AS PROPOSED BY IFAD.

7. COMMENT: THE US DELEGATION TO THE INFORMAL GROUP
MEETING LACKING DETAILED FIRST HAND KNOWLEDGE OF
THE WHYS AND WHEREFORES THAT WENT INTO THE DRAFTING
OF THE TEXT AS PROPOSED BY THE IFAD PREPARATORY COMMISSION,
AND ALSO LACKING ANY POSITION PAPERS THAT SET FORTH
THE US VIEW ON THE LANGUAGE OF THE VARIOUS ARTICLES
(INCLUDING WHAT AMENDMENTS THE US IS PREPARED TO
ACCPET) RECOMMENDS THAT 1) SOMEONE FROM WASHINGTON
KNOWLEDGEABLE IN THE BACKGROUND OF THE IFAD DRAFT
AGREEMENT BE ADDED TO THE US DELEGATION TO THE 62ND
ECOSOC OR 2) USUN BE PROMPTLY PROVIDED WITH AN
IN-DEPTH POSITION PAPER THAT INTER ALIA SETS FORTH THE
US VIEWS ON EACH ARTICLE OF THE DRAFT
AGREEMENT INCLUDING FALL-BACK POSITIONS THE US IS
PREPARED TO ACCEPT OR 3) BOTH.

8. PLEASE ADVISE.
YOUNG

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